

Notice of Allowability

Application No.

10/774,998

Applicant(s)

VON MERVELDT, ALF BERND
MICHAEL

Examiner

Steven B. Pollicoff

Art Unit

3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant phone call regarding allowable subject matter 2/8/07.
2. ☒ The allowed claim(s) is/are 1-6 and 9-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Meyertons on 2/8/07.

The application has been amended as follows:

REPLACE Claim 1 with - - 1. (Currently Amended): A bulk bag having flexible side walls; a bottom wall configured to define, with the sidewalls, a generally rectangular shape of bag; and a pair of laterally spaced generally flexible sleeves associated with the bottom wall, wherein each of the flexible sleeves are at least partially defined by the bottom wall and one of the flexible side walls, and wherein each of the flexible sleeves operatively receives a generally rigid tubular element adapted to receive a tine of a forklift truck, in use, and wherein each tubular element has, at one end thereof, outwardly directed flange formations for preventing movement of the said end into the sleeve, in use, and means at the other end for inhibiting movement of said other end into the sleeve, in use, and wherein said outwardly directed flange formations are formed by bends in the thermoplastic material from which the tubular element is made with the bends being at right angles to a length of the tubular shape. - -

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REPLACE Claim 2 with - - 2. (Currently Amended): A bulk bag having flexible side walls; a bottom wall configured to define, with the side walls, a generally rectangular shape of bag; and a pair of laterally spaced generally flexible sleeves associated with the bottom wall, wherein each of the flexible sleeves are at least partially defined by the bottom wall and one of the flexible side walls, and wherein each of the flexible sleeves receives a generally rigid tubular element adapted to receive a tine of a forklift truck, in use, and wherein each tubular element is made to a generally rectangular cross-sectional configuration and is composed of a sheet of thermoplastic material heat-shaped to form bends defining the generally rectangular cross-sectional configuration of said tubular element, and wherein one end of each tubular element has integral flange formations formed by bends in the thermoplastic material from which the tubular element is made with the bends being at right angles to a length of the tubular shape. - -

CANCEL Claim 7.

CANCEL Claim 8.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Pollicoff whose telephone number is (571)272-7818. The examiner can normally be reached on M-F: 7:30A.M.-4:00P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571)272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SBP 2/20/07
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Mickey Yu
Supervisory Patent Examiner
Group 3700